REMARKS

The Applicants acknowledge the Examiner's comprehensive Office Action, **a Final Rejection**, with appreciation. Claims 9-16 remain pending in the application; however, method Claim 16 remains withdrawn as a result of the previously issued Restriction Requirement. The Office maintains a prior art rejection under 35 USC § 103.

Claims 9-15 remain rejected for obviousness under 35 USC § 103(a) based on the disclosure of Lavielle, et al. (US Patent No. 5,472,979) in view of Helgason, et al. It remains the position of the Office that Lavielle, et al. disclose that the instant compound of formula (I) is capable of inhibiting platelet aggregation. The Office acknowledges that the Lavielle, et al. reference does not disclose combining the compound of formula (I) with aspirin and that the cited reference also does not disclose a compound of formula (I) having the (R) configuration; however, the Office reiterates its position that Helgason, et al. disclose a combination therapy consisting of aspirin and clopidogrel as a treatment regimen for the inhibition of platelet aggregation.

The Office maintains its position that, based on the disclosure of Helgason, et al., one skilled in the art would have been motivated to combine the platelet aggregation inhibitor of formula (I) with aspirin with a reasonable expectation of success that such a combination would be effective for the inhibition of platelet aggregation. With respect to the instantly claimed combinations comprising the (R) isomer of the compound of formula (I), it remains the position of the Office that one skilled in the art would recognize that the individual isomers of the compound of formula (I) would have different activity. The Office reiterates that one skilled in the art would have known how to resolve a racemic mixture of the compound of formula (I) and would have been motivated to do so with the expectation that the enantiomers would have substantially different pharmacological activity.

With respect to the Applicants' demonstration of synergistic effects associated with the instantly claimed combinations (submitted with the Response of July 11, 2008), the Office states that the demonstration of synergistic effects is not commensurate

with the scope of the claims. It is the position of the Office that the specification only demonstrates synergism for combinations comprising aspirin at a dose of 0.1 mg/kg and the compound of formula (I) at a dose of 1 mg/kg.

The Applicants respectfully submit that the Office has misinterpreted the results disclosed in the specification. The specification does not disclose results for combinations comprising aspirin at a dose of 0.1 mg/kg and the compound of formula (I) at a dose of 1 mg/kg as alleged by the Office. As noted in the Applicants' Response of July 11, 2008, pages 4-5 of the instant specification disclose data demonstrating the synergistic effects associated with the instantly claimed combination in an arterial thrombosis model. Specifically, the study disclosed at pages 4-5 of the specification discloses the results obtained in an arterial thrombosis model when compound A is administered in control (i.e., untreated) animals and in animals treated with aspirin at a dose of 2 mg/kg (which dose of aspirin does not produce an anti-thrombotic effect).

A dose-dependent anti-thrombotic effect is observed when compound A is administered to the untreated animals, with significant effects being observed at a dose of 0.3 mg/kg and almost total inhibition being observed at a dose of 1 mg/kg. A dose-dependent anti-thrombotic effect is also observed when compound A is administered to the animals treated with 2 mg/kg aspirin, with significant effects being observed at a Compound A dose of 0.01 mg/kg and almost total inhibition being observed at a dose of 0.1 mg/kg. As disclosed in the specification (at page 5) and pointed out in the Applicant's Response of July 11, 2008, these results demonstrate that, in the presence of a dose of aspirin which does not independently produce an anti-thrombotic effect, the antithrombotic effect of compound (A) of formula (I) is potentiated and increased by about 30 times.

Thus, the Applicants respectfully reiterate that the results disclosed in the specification demonstrate the synergistic effects associated with the instantly claimed combinations. Moreover, the Applicants further reiterate that there is no teaching in either of the cited references (alone or in combination) to suggest the synergistic effects associated with the instantly claimed combinations.

Reconsideration and withdrawal of the obviousness rejection is respectfully requested.

Finally, and in accordance with MPEP § 821.04, the Applicants request that the Office rejoin non-elected method Claim 16 upon the identification of allowable subject matter.

* * * * *

Accordingly, reconsideration of all grounds of objection and rejection, withdrawal thereof, rejoinder of the non-elected method claim, and passage of this application to issue are all hereby respectfully solicited.

It should be apparent that the undersigned agent has made an earnest effort to place this application into condition for immediate allowance. If she can be of assistance to the Examiner in the elimination of any possibly-outstanding insignificant impediment to an immediate allowance, the Examiner is respectfully invited to call her at her below-listed number for such purpose.

Allowance is solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

By: 

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THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY FURTHER OR ADDITIONAL FEES WHICH MAY BE REQUIRED (DUE TO OMISSION, DEFICIENCY, OR OTHERWISE), OR TO CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 08,3220.